

THE HONORABLE BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

COMMANDER EMILY SHILLING; *et al.*,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as
President of the United States; *et al.*,

Defendants.

No. 2:25-cv-00241 BHS

**DECLARATION OF MATTHEW P.
GORDON IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

I, Matthew P. Gordon, hereby declare as follows:

1. I am an attorney with the law firm Perkins Coie LLP and counsel for Plaintiffs in the above-captioned matter. I make this declaration based on personal knowledge about which I am competent to testify.

2. I submit this declaration to provide the Court true and correct copies of certain documents submitted in support of Plaintiffs' Motion for Preliminary Injunction.

3. Attached as **Exhibit 1** is a true and correct copy of Executive Order 14183, with the title "Prioritizing Military Excellence and Readiness," dated January 27, 2025, retrieved from the Federal Register website at: <https://www.federalregister.gov/documents/2025/02/03/2025-02178/prioritizing-military-excellence-and-readiness>.

4. Attached as **Exhibit 2** is a true and correct copy of an article by Megan Willmes and Jacob M. Henry, titled "Biographies: Albert D.J. Cashier," retrieved from the website of The

DECLARATION OF
MATTHEW P. GORDON ISO
MOT. FOR PRELIM. INJ.
CASE NO. 2:25-CV-00241 BHS

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1201 Third Avenue, Suite 4900
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Lambda Legal Defense and
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New York, NY. 10005-3919
Telephone: 212-809-8585

Human Rights Campaign
Foundation
1640 Rhode Island Avenue NW
Washington, D.C. 20036
Telephone: (202) 568-5762

1 National Museum of the United States Army website at:

2 <https://www.thenmusa.org/biographies/albert-cashier>.

3 5. Attached as **Exhibit 3** is a true and correct copy of an article titled “Albert
4 Cashier,” retrieved from the National Park Service website at: [http://nps.gov/articles/000/albert-](http://nps.gov/articles/000/albert-cashier.htm)
5 [cashier.htm](http://nps.gov/articles/000/albert-cashier.htm).

6 6. Attached as **Exhibit 4** is a true and correct copy of “Remarks on Ending the Ban
7 on Transgender Service in the U.S. Military as Delivered by Secretary of Defense Ash Carter,”
8 dated June 30, 2016, retrieved from the U.S. Department of Defense website at:
9 [https://www.defense.gov/News/Speeches/Speech/Article/821833/remarks-on-ending-the-ban-on-](https://www.defense.gov/News/Speeches/Speech/Article/821833/remarks-on-ending-the-ban-on-transgender-service-in-the-us-military/#:~:text=Now%2C%20as%20a%20result%2s0of,military%20just%20for%20being%20transgender.)
10 [transgender-service-in-the-us-](https://www.defense.gov/News/Speeches/Speech/Article/821833/remarks-on-ending-the-ban-on-transgender-service-in-the-us-military/#:~:text=Now%2C%20as%20a%20result%2s0of,military%20just%20for%20being%20transgender.)
11 [military/#:~:text=Now%2C%20as%20a%20result%2s0of,military%20just%20for%20being%20t](https://www.defense.gov/News/Speeches/Speech/Article/821833/remarks-on-ending-the-ban-on-transgender-service-in-the-us-military/#:~:text=Now%2C%20as%20a%20result%2s0of,military%20just%20for%20being%20transgender.)
12 [ransgender.](https://www.defense.gov/News/Speeches/Speech/Article/821833/remarks-on-ending-the-ban-on-transgender-service-in-the-us-military/#:~:text=Now%2C%20as%20a%20result%2s0of,military%20just%20for%20being%20transgender.)

13 7. Attached as **Exhibit 5** is a true and correct copy of “Transgender Service in the
14 U.S. Military: An Implementation Handbook,” dated September 30, 2016, retrieved from the
15 U.S. Department of Defense website at:
16 https://dod.defense.gov/Portals/1/features/2016/0616_policy/DoDTGHandbook_093016.pdf.

17 8. Attached as **Exhibit 6** is a is a true and correct copy of a news article by Adam
18 Edelman with the title “Trump Bans Transgender People Serving in the Military,” dated July 26,
19 2017, retrieved from the NBC News website at: [https://www.nbcnews.com/politics/donald-](https://www.nbcnews.com/politics/donald-trump/trump-announces-ban-transgender-people-serving-military-n786621)
20 [trump/trump-announces-ban-transgender-people-serving-military-n786621](https://www.nbcnews.com/politics/donald-trump/trump-announces-ban-transgender-people-serving-military-n786621).

21 9. Attached as **Exhibit 7** is a true and correct copy of a news article by Laurel
22 Wamsley titled “Trump Says Transgender People Can’t Serve in the Military,” dated July 26,
23 2017, retrieved from NPR’s website at: [https://www.npr.org/sections/thetwo-](https://www.npr.org/sections/thetwo-way/2017/07/26/539470211/trump-says-transgender-people-cant-serve-in-military)
24 [way/2017/07/26/539470211/trump-says-transgender-people-cant-serve-in-military](https://www.npr.org/sections/thetwo-way/2017/07/26/539470211/trump-says-transgender-people-cant-serve-in-military).

25 10. Attached as **Exhibit 8** is a true and correct copy of the Presidential Memorandum
26 for the Secretary of Defense and Secretary of Homeland Security, with the subject “Military

1 Service by Transgender Individuals,” dated August 25, 2017, retrieved from the President Trump
 2 White House archived website at: [https://trumpwhitehouse.archives.gov/presidential-](https://trumpwhitehouse.archives.gov/presidential-actions/presidential-memorandum-secretary-defense-secretary-homeland-security)
 3 [actions/presidential-memorandum-secretary-defense-secretary-homeland-security](https://trumpwhitehouse.archives.gov/presidential-actions/presidential-memorandum-secretary-defense-secretary-homeland-security).

4 11. Attached as **Exhibit 9** is a true and correct copy of the Palm Center’s August 1,
 5 2017 press release titled “Fifty-Six Retired Generals and Admirals Warn That President Trump’s
 6 Anti-Transgender Tweets, If Implemented, Would Degrade Military Readiness,” retrieved from
 7 the Palm Center website at: [https://palmcenterlegacy.org/fifty-six-retired-generals-admirals-](https://palmcenterlegacy.org/fifty-six-retired-generals-admirals-warn-president-trumps-anti-transgender-tweets-implemented-degrade-military-readiness)
 8 [warn-president-trumps-anti-transgender-tweets-implemented-degrade-military-readiness](https://palmcenterlegacy.org/fifty-six-retired-generals-admirals-warn-president-trumps-anti-transgender-tweets-implemented-degrade-military-readiness).

9 12. Attached as **Exhibit 10** is a true and correct copy of a Secretary of Defense
 10 Memorandum for the President, with the subject “Military Service by Transgender Individuals,”
 11 dated February 22, 2018, retrieved from the U.S. Department of Defense website at:
 12 [https://media.defense.gov/2018/mar/23/2001894037/-1/-1/0/military-service-by-transgender-](https://media.defense.gov/2018/mar/23/2001894037/-1/-1/0/military-service-by-transgender-individuals.pdf)
 13 [individuals.pdf](https://media.defense.gov/2018/mar/23/2001894037/-1/-1/0/military-service-by-transgender-individuals.pdf).

14 13. Attached as **Exhibit 11** is a true and correct copy of Executive Order 14004, with
 15 the title “Enabling All Qualified Americans to Serve Their Country in Uniform,” dated January
 16 25, 2021, retrieved from the Federal Register website at:
 17 [https://www.federalregister.gov/documents/2021/01/28/2021-02034/enabling-all-qualified-](https://www.federalregister.gov/documents/2021/01/28/2021-02034/enabling-all-qualified-americans-to-serve-their-country-in-uniform#:~:text=On%20the%20basis%20of%20this,the%20required%20standards%20and%20p)
 18 [americans-to-serve-their-country-in-](https://www.federalregister.gov/documents/2021/01/28/2021-02034/enabling-all-qualified-americans-to-serve-their-country-in-uniform#:~:text=On%20the%20basis%20of%20this,the%20required%20standards%20and%20p)
 19 [uniform#:~:text=On%20the%20basis%20of%20this,the%20required%20standards%20and%20p](https://www.federalregister.gov/documents/2021/01/28/2021-02034/enabling-all-qualified-americans-to-serve-their-country-in-uniform#:~:text=On%20the%20basis%20of%20this,the%20required%20standards%20and%20p)
 20 [rocedures](https://www.federalregister.gov/documents/2021/01/28/2021-02034/enabling-all-qualified-americans-to-serve-their-country-in-uniform#:~:text=On%20the%20basis%20of%20this,the%20required%20standards%20and%20p).

21 14. Attached as **Exhibit 12** is a true and correct copy of Department of Defense
 22 Instruction 6130.03, with the title “Medical Standards for Military Service: Appointment,
 23 Enlistment, or Induction,” dated May 28, 2024, retrieved from:
 24 [https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/613003_vol01.pdf?ver=B0u](https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/613003_vol01.pdf?ver=B0uhh9e1k_MDTz4PuNU8Aw%3D%3D)
 25 [hh9e1k_MDTz4PuNU8Aw%3D%3D](https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/613003_vol01.pdf?ver=B0uhh9e1k_MDTz4PuNU8Aw%3D%3D).

1 15. Attached as **Exhibit 13** is a true and correct copy of Executive Order 14168, with
 2 the title “Defending Women From Gender Ideology Extremism and Restoring Biological Truth
 3 to the Federal Government,” dated January 20, 2025, retrieved from the Federal Register website
 4 at: [https://www.federalregister.gov/documents/2025/01/30/2025-02090/defending-women-from-](https://www.federalregister.gov/documents/2025/01/30/2025-02090/defending-women-from-gender-ideology-extremism-and-restoring-biological-truth-to-the-federal)
 5 [gender-ideology-extremism-and-restoring-biological-truth-to-the-federal](https://www.federalregister.gov/documents/2025/01/30/2025-02090/defending-women-from-gender-ideology-extremism-and-restoring-biological-truth-to-the-federal).

6 16. Attached as **Exhibit 14** is a true and correct copy of a Department of Defense
 7 Memorandum for Senior Pentagon Leadership Commanders of the Combatant Commands
 8 Defense Agency and DOD Field Activity Directors, with the subject “Defending Women from
 9 Gender Ideology Extremism and Restoring Biological Truth to the Federal Government,” dated
 10 January 31, 2025.

11 17. Attached as **Exhibit 15** is a true and correct copy of a Department of the Air
 12 Force Memorandum for All MAJCOM-FOA-DRU-FLDCOM-COCOM/CC, with the subject,
 13 “Implementation of Executive Order 14168, Defending Women from Gender Ideology
 14 Extremism and Restoring Biological Truth to the Federal Government,” dated February 4, 2025,
 15 retrieved from the U.S. Air Force website at:
 16 [https://www.af.mil/Portals/1/documents/2025SAF/MR_Memo_-](https://www.af.mil/Portals/1/documents/2025SAF/MR_Memo_-_Defending_Women_From_Gender_Ideology.pdf)
 17 [_Defending_Women_From_Gender_Ideology.pdf](https://www.af.mil/Portals/1/documents/2025SAF/MR_Memo_-_Defending_Women_From_Gender_Ideology.pdf)

18 18. Attached as **Exhibit 16** is a true and correct copy of a Department of the Army
 19 memorandum, with the subject “Implementing Guidance for Executive Order Defending
 20 Women,” dated February 4, 2025, retrieved from the U.S. Army website at:
 21 [https://api.army.mil/e2/c/downloads/2025/02/13/1c8e9e7e/tab-a-s-implementing-guidance-for-](https://api.army.mil/e2/c/downloads/2025/02/13/1c8e9e7e/tab-a-s-implementing-guidance-for-executive-order-defending-women.pdf)
 22 [executive-order-defending-women.pdf](https://api.army.mil/e2/c/downloads/2025/02/13/1c8e9e7e/tab-a-s-implementing-guidance-for-executive-order-defending-women.pdf).

23 19. Attached as **Exhibit 17** is a true and correct copy of a Secretary of Defense
 24 Memorandum for Senior Pentagon Leadership, Commanders of the Combatant Commands,
 25 Defense Agency and DOD Field Activity Directors, dated February 7, 2025, with the subject
 26 “Prioritizing Military Excellence and Readiness.”

20. Attached as **Exhibit 18** is a true and correct copy of guidance by the Department of the Army, with the subject “Implementation of Executive Orders Related to Transgender Military Service,” dated February 7, 2025.

21. Attached as **Exhibit 19** is a true and correct copy of a Department of Navy Decision Guidance Memorandum #N00-30, with the subject “Processing of Applicants Identifying as Transgender,” dated January 28, 2025.

22. Attached as **Exhibit 20** is a true and correct copy of a news article by Danielle Kurtzleben titled “Some federal web pages still down as agencies implement order ‘defending women,’” dated February 1, 2025, retrieved from the NPR website at:
<https://www.npr.org/2025/01/31/g-s1-45887/trump-opm-gender-ideology-defending-women-websites-transgender>.

23. Attached as **Exhibit 21** is a true and correct copy of a news article by Jo Yurcaba titled “Government agencies scrub LGBTQ web pages and remove info about trans and intersex people,” dated February 3, 2025, retrieved from the NBC News website at:
<https://www.nbcnews.com/nbc-out/out-politics-and-policy/government-agencies-scrub-lgbtq-web-pages-remove-info-trans-intersex-p-rcna190519>.

24. Attached as **Exhibit 22** is a true and correct copy of a news article by Minyvonne Burke titled “References to transgender and queer removed from Stonewall National Monument’s web page,” dated February 14, 2025, retrieved from the NBC News website at:
<https://www.nbcnews.com/nbc-out/out-news/references-transgender-queer-removed-stonewall-monuments-webpage-rcna192204>.

25. Attached as **Exhibit 23** is a true and correct copy of a news article by Jonathan J. Cooper, with the title “A List of Government Web Pages That Have Gone Dark to Comply With Trump Orders,” dated January 31, 2025, retrieved from the AP website at:
<https://apnews.com/article/government-websites-changes-trump-transgender-dei-orders-383fc983c6ca48804f1404cbc61ee9e9>.

26. Attached as **Exhibit 24** is a true and correct copy of the Palm Center’s August 2017 study titled “Discharging Transgender Troops Would Cost \$960 Million,” retrieved from the Palm Center website at: <https://palmcenterlegacy.org/wp-content/uploads/2017/08/cost-of-firing-trans-troops-3.pdf>.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

EXECUTED this 19th day of February, 2025, at Seattle, Washington.

s/ Matthew P. Gordon
Matthew P. Gordon